

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

DEUTSCHE BANK TRUST COMPANY
AMERICAS, in its capacity as successor
indenture trustee for certain series of Senior
Notes, *et al.*,

Plaintiffs,

C.A. No. 11-618 GMS

v.

SOWOOD ALPHA FUND LP, *et al.*,

Defendants.

**STIPULATION AND PROPOSED ORDER TO
EXTEND TIME TO RESPOND TO MOTION TO DISMISS**

WHEREAS, on September 13, 2011, defendant Janney Montgomery Scott LLC (“JMS”) filed a motion to dismiss the complaint against it (the “Motion,” D.I. 52) and opening brief in support thereof (D.I. 53); and

WHEREAS Plaintiffs requested, and JMS agreed to, an extension of the deadline for Plaintiffs to file an answering brief, which the Court approved (D.I. 66);

WHEREAS Plaintiffs requested, and JMS agreed to, a further extension of the deadline for Plaintiffs to file an answering brief so that the parties may discuss consensually resolving the motion;

NOW, THEREFORE, it is hereby STIPULATED AND AGREED, subject to the approval of the Court, as follows:

1. Plaintiffs’ answering brief in opposition to the Motion shall be filed on or before October 21, 2011; and
2. JMS’ reply brief in further support of the Motion shall be filed on or before November 11, 2011.

ASHBY & GEDDES

/s/ *Andrew D. Cordo*
Philip Trainer, Jr. (#2788)
Andrew D. Cordo (#4534)
F. Troupe Mickler IV (#5361)
500 Delaware Avenue, 8th Floor
P.O. Box 1150
Wilmington, DE 19899
(302) 654-1888
acordo@ashby-geddes.com
tmickler@ashby-geddes.com

Attorneys for Plaintiffs

Dated: October 13, 2011

It is **SO ORDERED.**

Dated: _____, 2011

PEPPER HAMILTON LLP

/s/ *Albert H. Manwaring, IV*
Albert H. Manwaring, IV (#4339)
James H. S. Levine (#5355)
Hercules Plaza, Suite 5100
1313 N. Market Street, P.O. Box 1709
Wilmington, DE 19801
Telephone: (302) 777-6500
Facsimile: (302) 421-8390
manwaringa@pepperlaw.com
levinejh@pepperlaw.com

*Attorneys for Defendant Janney Montgomery
Scott LLC*

Gregory M. Sleet
Chief United States District Judge